

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2004-017161-001 DT

05/11/2011

COMMISSIONER PAMELA D. SVOBODA

CLERK OF THE COURT
D. Courtemanche
Deputy

STATE OF ARIZONA

KARIN TANG HOM

v.

ERIC ANTONY CARLSON (001)
DOB: 07/05/1968

ARJA A SHAH

APO-SENTENCE IMPRISON-CCC
APPEALS-CCC
AZ DOC
DISPOSITION CLERK-CSC
RFR

DISPOSITION HEARING PROBATION REVOKED - IMPRISONMENT

9:41 a.m.

Courtroom CRDU2

| | |
|-----------------------|----------------|
| State's Attorney: | Stephen Garcia |
| Defendant's Attorney: | Arja Shah |
| Defendant: | Present |

Court Reporter, Yvonne De La Torre, is present.

A record of the proceeding is also made by audio and/or videotape.

The Court Finds that the Defendant has refused drug treatment as a part of their probation grant. Pursuant to A.R.S 13-901.01(G) (Proposition 302), the Defendant is no longer eligible for mandatory probation under Proposition 200 sentencing guidelines. Therefore,

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Disposition is pursuant to A.R.S 13-901.01(H).

The Court finds that Defendant violated the conditions of probation imposed on 01/27/2005 on the following charge (s):

OFFENSE: Count 4: Possession of Dangerous Drugs
Class 4 Felony
A.R.S. § 13-3401, 3407, 3418, 901.01, 610, 701, 702, 702.01, 801
Date of Offense: 06/17/2004
Non Dangerous - Non Repetitive

Let the record reflect that although probation is available in this matter, the Defendant wishes to reject probation at this time and be sentenced to a term of incarceration at the Department of Corrections.

COUNT 4

IT IS ORDERED the grant of probation be revoked.

IT IS ORDERED that Defendant be committed to the Arizona Department of Corrections for a term of imprisonment as follows:

Count 4: 2.5 year(s) from 05/11/2011
Presentence Incarceration Credit: 315 day(s)
Presumptive
Sentence is concurrent with CR2011-005578-001DT, CR2009-177413-001DT and CR2004-011358-001DT.

IT IS ORDERED affirming previous monetary orders relating to fine, with credit for monies paid to date.

All amounts payable through the Clerk of the Superior Court.

The Arizona Department of Corrections shall notify the Clerk of the Court of Maricopa County of Defendant's release from custody via e-mail cforesponse@mail.maricopa.gov. The Clerk of the Court, upon said notification, shall furnish financial information for a Criminal Restitution Order for Judicial signature for any unpaid monies to date.

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Community Supervision: Count 4 - Waived pursuant to A.R.S. § 13-603(K) and 41-1604.07(D), due to the term of probation in CR2009-177413-001DT.

In the event the Defendant is released by the Department of Corrections on a temporary release basis pursuant to A.R.S. §31-233, and a term of Community Supervision has been waived pursuant to A.R.S. §13-603(K), the length of probation shall be extended to include the time of Defendant's temporary release, pursuant to A.R.S. §13-901(B).

IT IS ORDERED authorizing the Sheriff of Maricopa County to deliver the Defendant to the Arizona Department of Corrections to carry out the term of imprisonment set forth herein.

IT IS ORDERED the Clerk of the Superior Court remit to the Arizona Department of Corrections a copy of this Order or the Order of Confinement together with all presentence reports, probation violation reports, and medical and psychological reports that are not sealed in this cause relating to the Defendant.

The probation violation report is filed under CR2011-005578-001DT.

10:03 a.m. Matter concludes.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>. Attorneys are encouraged to review Supreme Court Administrative Orders 2010-117 and 2011-10 to determine their mandatory participation in eFiling through AZTurboCourt.

ISSUED: Order of Confinement - Certified Copy to DOC via MCSO

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Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/ s / COMMISSIONER PAMELA D. SVOBODA

JUDICIAL OFFICER OF THE SUPERIOR COURT

(right index fingerprint)